sub-head of travelling allowance and daily allowance, include that also—you can add that during the third reading. This is the suggestion that I place before this House through this amendment. I pray that it may be accepted.

Mr. President: There is nobody to second the amendment. I am afraid the amendment falls to the ground.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Unholy alliances again, Sir, and not the merit of the case. Let it by all means. I have done my duty.

Clauses 2 to 4 put and carried

Clause 1 put and carried

Title and preamble put and carried

Rama Varmha Tampuran, M.B.E. *(Chief Secretary to Government):* Sir, I request that the Chair may be pleased to allow me to move for the final reading of the Bill on next Tuesday.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

4. The Cochin Factories Act (Amendment) Bill

Mr. K. Balakrishna Menon *(Minister for Development):* Sir, I move that the Cochin Factories Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second the motion.

Motion put and carried

Secretary to the Council: The title of the Bill is the Cochin Factories Act (Amendment) Bill.

Mr. K. Balakrishna Menon *(Minister for Development):* Sir, I move that Standing Order No. 32 may be suspended.

Mr. President: Yes.

Mr. K. Balakrishna Menon *(Minister for Development):* I move that the Cochin Factories Act (Amendment) Bill be taken into consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clauses 2 to 7 put and carried

Clause 1 put and carried

Title and preamble put and carried

Mr. K. Balakrsihna Menon *(Minister for Development):* I move that the Bill may be taken up and finally passed on next Tuesday.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

5. The Cochin Trade Marks Act (Amendment) Bill

Rao Sahib C. J. Mathew *(Secretary to Government):* Sir, I beg to move that the Cochin Trade Marks Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second the motion and in doing so I wish to bring to the notice of the House the purpose of this amendment. Every one knows that a trade mark is practically one's property; just as there is a good will in the trade, one who has put in the market a certain trade mark which has attracted some reputation in the market is practically a kind of property which is vested in him. Indeed throughout the several sovereign jurisdictions it has been found very difficult for traders to zealously and invidiously guard their property in trade marks. A person who gets his trade mark registered in Cochin cannot have real protection of that trade mark in Hyderabad unless and until this trader here goes before a Hyderabad Court of law and prove that his trade mark has got a reputation within the territories of that State. And it has been a long standing complaint of the traders that there should be

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some sort of a reciprocity and uniformity in the matter of registration and protection of trade marks, so that throughout India and even elsewhere in the world, their property in trade marks may be protected. This has been the subject of earnest attention of the Central Government and after addressing the several Indian States, a sort of reciprocal arrangement has now been come to between almost all the Indian States, the Central Government and the Provinces by which section 78-A of the Trade Marks Bill which has now been placed before you gives in a nutshell the rights which are sought to be conferred by reciprocal arrangement upon persons who are owners of trade marks. Section 78-A says "Government may enter into reciprocal arrangements with British India and any Indian State whereby trade marks and certificate or trade marks registered under this Act shall have in British India or that Indian State protection as if registered in British India or in that Indian State and where such arrangements have been entered into with British India or any Indian State, Government shall by notification in the Cochin Government Gazette declare that this section shall apply to British Indian and that Indian State." The scheme of this amendment goes even further, because if any European countries or countries of other continents wish to extend the principle of protection of trade marks, for instance a trade mark registered in America or another country will also be entitled to protection in India and similarly a trade mark registered in India will also have the right of protection in America or other European country. Such is the nature of the reciprocal arrangements that could be entered into with the several sovereign Governments in India and other countries. Section 79 which immediately follows with the amendment would read "If at any time after the expiry of six months from the commencement of this section it is made to appear to Government that any Government outside India has made satisfactory provision for the protection within its territories of trade marks in respect of which an application for registration has been made in Cochin State, Government may, by notification in the Cochin Government Gazette, make provision with regard to trade marks in respect of which an application for registration has been made within the territories of that Government to enable any person who has applied within such territories for registration of a trade mark or his legal representative or assignee to obtain registration of the trade mark in Cochin State under this Act on his making an application for registration in Cochin State within such period as may be fixed in this behalf by the notification as if an application for registration under this Act had been made in respect of that trade mark at the date at which the application for registration was made within the territories of that Government." That means this is a general scheme which can be made applicable not only to India but even to other countries in the world which are prepared to enter into reciprocal arrangements with the Indian States. Therefore the result will be if a trade mark is registered in Cochin that obtains validity in all the reciprocating States. It will be valid in Hyderabad if Hyderabad is reciprocating, it will be valid in Travancore if Travancore is reciprocating. Therefore the field of validity of trade marks registered in one jurisdiction will be very greatly widened and the property in trade marks can be better protected by widening the sphere in such a way. This is a sort of legislation on which if it had come into the Statute Book earlier would have avoided so much of difference and litigation between warring traders with their own original and imitated trade marks. Therefore, there is nothing novel in this. The only thing is that we are trying to extend the scope of the existing Act and arrangements are already complete. There will be a Trade Marks Register for the whole of India and those materials will be collected and maintained in a central office at Trichur or any other place that the Government may decide and in that Trade Marks Register will be entered the Trade Marks registered in the Native States and in British India; and when a fresh trade mark is registered in Cochin State, that register will be referred to see if that trade mark has been registered anywhere else, so that no trader can by way of competition come and register a colourable imitation. So that the interests of owners in trade marks are amply sought to be protected in the interests of the steadily growing industrialisation of the country. It is accepted on all hands that such protection is necessary. We have agreed to enter into reciprocal arrangements with all those Indian States prepared to enter into reciprocal arrangements with us and Government of India. Therefore, there is nothing new in this amending Bill. The principle is accepted already in the existing Act and the present Bill seeks only to extend the Act to different jurisdictions and thereby protect the interests of the traders and safeguard the property in trade marks by preventing rash or hasty violation of trade marks and by extending the scope of the Act to other places and by extending the same concessions to other places by mutual arrangements. The principle of the Trade Marks Act has already been accepted by this House and so there will be no scope for further discussion. The main principle of this Bill is reciprocal arrangements with the Government of India and even with other countries in the world.

Motion put and carried

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Secretary to the Council: The title of the Bill is The Cochin Trade Marks Act (Amendment) Bill.

Rao Sahib C. J. Mathew *(Secretary to Government):* I pray that the President may be pleased to suspend Standing Order No. 32.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Mr. President: Yes.

Rao Sahib C. J. Mathew *(Secretary to Government):* I request that the Bill may be taken into consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clauses 2 to 26 put and carried

Clause 1 put and carried

Title and preamble put and carried

Rao Sahib C. J. Mathew *(Secretary to Government):* I move that the Bill be taken up for final reading on next Tuesday.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

6. The Cochin Maternity Benefit Act (Amendment) Bill

Mr. K. Balakrishna Menon *(Minister for Development):* Sir, I move that the Cochin Maternity Benefit Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second the motion.

Motion put and carried

Secretary to the Council: The title of the Bill is the Cochin Maternity Benefit Act (Amendment) Bill.

Mr. K. Balakrishna Menon *(Minister for Development):* I move that Standing Order No. 32 may be suspended.

Mr. President: Yes.

Mr. K. Balakrishna Menon *(Minister for Development):* I move that the Bill be taken into consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clause 2 put and carried

Clause 1 put and carried

Title and preamble put and carried

Mr. K. Balakrishna Menon *(Minister for Development):* I move that this Bill may be taken up on next Tuesday for final reading.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

7. The Cochin Anchal Act (Amendment) Bill

Rama Varmha Tampuran, M.B.E. *(Chief Secretary to Government):* I move that the Cochin Anchal Act (Amendment) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Rama Varmha Tampuran, M.B.E. *(Chief Secretary to Government):* At present insured articles are not sent by Anchal. It is to make provision for that this Bill is introduced.

Motion put and carried

Secretary to the Council: The title of the Bill is The Cochin Anchal Act (Amendment) Bill.

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